

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA

PRO SE DEBTOR PACKET

Contents

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(Consult the full form, available on the Court's website, for information about Chapters 11 and 12.)
3. B1 - Voluntary Petition and Instructions
4. B21 - Statement of Social Security Number
5. Exhibit D
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IF YOU DO NOT HAVE AN ATTORNEY, THE FILING FEE MUST BE PAID IN CASH, WITH A DEBIT CARD, OR WITH A MONEY ORDER - CREDIT CARDS ARE NOT ACCEPTED. IF YOU ARE NOT PAYING THE FEE IN FULL AT TIME OF FILING, THEN YOU MUST ALSO FILE ONE OF THE FOLLOWING (as appropriate):

8. B3A - Application to Pay Filing Fee in Installments*
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*If filing an Application to Pay Filing Fee in Installments consult:

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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA

INTRODUCTION:
FORMS PACKET FOR PRO SE DEBTORS

Bankruptcy Court staff may not give legal advice. These forms are provided as a courtesy. Staff may not assist you with their completion.

These forms are not all of the forms needed to complete a bankruptcy case. Consult B200, Required Lists, Schedules, Statements and Fees, for more information. The forms in this packet are the minimum needed to begin a case. **If you fail to file the required forms that are not included in this packet, the Court will give you additional time to do so after the original filing date. Your case may be dismissed if you do not file the required documents by the end of that additional time.**

The Court has provided extensive information for parties filing a bankruptcy case or participating in a case without an attorney. That information - and the other forms needed to complete filing - are available on the Court's website at www.insb.uscourts.gov. There you can also find information about locating an attorney to assist you.

WARNING: Read the instructions on credit counseling posted in the lobby and on the Court's website before you file. After 4:00 PM, the Bankruptcy Clerk may not be able to process new cases until the next business day.

UNITED STATES BANKRUPTCY COURT REQUIRED LISTS, SCHEDULES, STATEMENTS, AND FEES

Voluntary Chapter 7 Case

- ☐ **Filing Fee of \$245.** If the fee is to be paid in installments or the debtor requests a waiver of the fee, the debtor must be an individual and must file a signed application for court approval. Official Form 3A or 3B and Fed.R.Bankr.P. 1006(b), (c)
- ☐ **Administrative fee of \$46 and trustee surcharge of \$15.** If the debtor is an individual and the court grants the debtor's request, these fees are payable in installments or may be waived.
- ☐ **Voluntary Petition** (Official Form 1); **Names and addresses of all creditors** of the debtor. Must be filed WITH the petition. Fed.R.Bankr.P. 1007(a)(1).
- ☐ **Notice to Individual Debtor with Primarily Consumer Debts** under 11 U.S.C. § 342(b) (Director's Form 201A/B), if applicable. Required if the debtor is an individual with primarily consumer debts. The notice must be GIVEN to the debtor before the petition is filed. Certification that the notice has been given must be FILED with the petition or within 15 days. 11 U.S.C. §§ 342(b), 521(a)(1)(B)(iii), 707(a)(3). Official Form 1 contains spaces for the certification.
- ☐ **Notice to debtor by "bankruptcy petition preparer"** (Official Form 19). Required if a "bankruptcy petition preparer" prepares the petition. Must be submitted WITH the petition. 11 U.S.C. § 110(b)(2).
- ☐ **Statement of Social Security Number** (Official Form 21). Required if the debtor is an individual. Must be submitted WITH the petition. Fed.R.Bankr.P. 1007(f).
- ☐ **Individual Debtor's Statement of Compliance with Credit Counseling Requirement** (Exhibit D to Official Form 1); **Certificate of Credit Counseling and Debt Repayment Plan**, if applicable; **Section 109(h)(3) certification or § 109(h)(4) request**, if applicable. Exhibit D is required if the debtor is an individual. Exhibit D must be filed WITH the petition. If applicable, the Certificate of Credit Counseling and Debt Repayment Plan must be filed with the petition or within 14 days. If applicable, the § 109(h)(3) certification or the § 109(h)(4) request must be filed WITH the petition. Fed.R.Bankr.P. 1007(b)(3), (c).
- ☐ **Statement disclosing compensation paid or to be paid to a "bankruptcy petition preparer"** (Director's Form 280). Required if a "bankruptcy petition preparer" prepares the petition. Must be submitted WITH the petition. 11 U.S.C. § 110(h)(2).
- ☐ **Statement of current monthly income, etc.** (Official Form 22A). Required if the debtor is an individual. Must be filed with the petition or within 14 days. Fed.R.Bankr.P. 1007(b), (c).
- ☐ **Schedules of assets and liabilities** (Official Form 6). Must be filed with the petition or within 14 days. Fed.R.Bankr.P. 1007(b),(c).
- ☐ **Schedule of executory contracts and unexpired leases** (Schedule G of Official Form 6). Must be filed with the petition or within 14 days. Fed.R.Bankr.P. 1007(b), (c).
- ☐ **Schedules of current income and expenditures.** All debtors must file these schedules. If the debtor is an individual, Schedules I and J of Official Form 6 must be used for this purpose. Must be filed with the petition or within 14 days. 11 U.S.C. § 521(1) and Fed.R.Bankr.P. 1007(b), (c).
- ☐ **Statement of financial affairs** (Official Form 7). Must be filed with the petition or within 14 days. Fed.R.Bankr.P. 1007(b), (c).
- ☐ **Copies of all payment advices or other evidence of payment** received by the debtor from any employer within 60 days before the filing of the petition. Required if the debtor is an individual. Must be filed with the petition or within 14 days. Fed.R.Bankr.P. 1007(b), (c).
- ☐ **Statement of intention regarding secured property and unexpired leases** (Official Form 8). Required ONLY if the debtor is an individual and the schedules of assets and liabilities contain debts secured by property of the estate or personal property subject to an unexpired lease. Must be filed within 30 days or by the date set for the Section 341 meeting of creditors, whichever is earlier. 11 U.S.C. §§ 362(h) and 521(a)(2).
- ☐ **Statement disclosing compensation paid or to be paid to the attorney** for the debtor (Director's Form 203). Required if the debtor is represented by an attorney. Must be filed within 14 days or any other date set by the court. 11 U.S.C. § 329 and Fed.R.Bankr.P. 2016(b).
- ☐ **Certification of Completion of Instructional Course Concerning Financial Management** (Official Form 23), if applicable. Required if the debtor is an individual, unless the course provider has notified the court that the debtor has completed the course. Must be filed within 60 days of the first date set for the meeting of creditors. 11 U.S.C. § 727(a)(11) and Fed.R.Bankr.P. 1007(b)(7), (c).

REQUIRED LISTS, SCHEDULES, STATEMENTS, AND FEES
Chapter 13 Case

- ☐ **Filing fee of \$235.** If the fee is to be paid in installments, the debtor must file a signed application for court approval. Official Form 3A and Fed.R.Bankr.P. 1006(b).
- ☐ **Administrative fee of \$46.** If the court grants the debtor's request, this fee is payable in installments.
- ☐ **Voluntary Petition** (Official Form 1); **Names and addresses of all creditors** of the debtor. Must be filed WITH the petition. Fed.R.Bankr.P. 1007(a)(1).
- ☐ **Notice to Individual Debtor with Primarily Consumer Debts** under 11 U.S.C. § 342(b) (Director's Form 201A/B), if applicable. Required if the debtor is an individual with primarily consumer debts. The notice must be GIVEN to the debtor before the petition is filed. Certification that the notice has been given must be FILED with the petition or within 15 days. 11 U.S.C. §§ 342(b), 521(a)(1)(B)(iii), 1307(c)(9). Official Form 1 contains spaces for the certification.
- ☐ **Notice to debtor by "bankruptcy petition preparer,"** (Official Form 19). Required if a "bankruptcy petition preparer" prepares the petition. Must be submitted WITH the petition. 11 U.S.C. § 110(b)(2).
- ☐ **Statement of Social Security Number** (Official Form 21). Must be submitted WITH the petition. Fed.R.Bankr.P. 1007(f).
- ☐ **Individual Debtor's Statement of Compliance with Credit Counseling Requirement** (Exhibit D to Official Form 1); **Certificate of Credit Counseling and Debt Repayment Plan**, if applicable; **Section 109(h)(3) certification or § 109(h)(4) request**, if applicable. Exhibit D must be filed WITH the petition. If applicable, the Certificate of Credit Counseling and Debt Repayment Plan must be filed with the petition or within 14 days. If applicable, the § 109(h)(3) certification or the § 109(h)(4) request must be filed WITH the petition. Fed.R.Bankr.P. 1007(b)(3), (c).
- ☐ **Statement disclosing compensation paid or to be paid to a "bankruptcy petition preparer"** (Director's Form 280). Required if a "bankruptcy petition preparer" prepares the petition. Must be submitted WITH the petition. 11 U.S.C. § 110(h)(2).
- ☐ **Statement of Current Monthly Income, etc.** (Official Form 22C). Must be filed with the petition or within 14 days. Fed.R.Bankr.P. 1007.
- ☐ **Schedules of Assets and Liabilities** (Official Form 6). Must be filed with the petition or within 14 days. Fed.R.Bankr.P. 1007(b), (c).
- ☐ **Schedule of Executory Contracts and Unexpired Leases** (Schedule G of Official Form 6). Must be filed with the petition or within 14 days. Fed.R.Bankr.P. 1007(b), (c).
- ☐ **Schedules of Current Income and Expenditures** (Schedules I and J of Official Form 6). Must be filed with the petition or within 14 days. 11 U.S.C. § 521(1) and Fed.R.Bankr.P. 1007(b), (c).
- ☐ **Statement of Financial Affairs** (Official Form 7). Must be filed with the petition or within 14 days. Fed.R.Bankr.P. 1007(b), (c).
- ☐ **Copies of all payment advices or other evidence of payment** received by the debtor from any employer within 60 days before the filing of the petition. Must be filed with the petition or within 14 days. Fed.R.Bankr.P. 1007(b), (c).
- ☐ **Chapter 13 Plan.** Must be filed with the petition or within 14 days. Fed.R.Bankr.P. 3015.
- ☐ **Statement disclosing compensation paid or to be paid to the attorney** for the debtor (Director's Form 203), if applicable. Must be filed within 14 days or any other date set by the court. 11 U.S.C. § 329 and Fed.R.Bankr.P. 2016(b).
- ☐ **Certificate of Completion of Instructional Course Concerning Financial Management** (Official Form 23). Must be filed no later than the date of the last payment made under the plan or the date of the filing of a motion for a discharge under § 1328(b), unless the course provider has notified the court that the debtor has completed the course. 11 U.S.C. § 1328(g)(1) and Fed.R.Bankr.P. 1007(b)(7), (c).
- ☐ **Statement concerning pending proceedings of the kind described in § 522(q)(1),** if applicable. Required if the debtor has claimed exemptions under state or local law as described in § 522(b)(3) in excess of \$155,675*. Must be filed no later than the date of the last payment made under the plan or the date of the filing of a motion for a discharge under § 1328(b). 11 U.S.C. § 1328(h) and Fed.R.Bankr.P. 1007(b)(8), (c).

* Amount subject to adjustment on 4/01/16, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

VOLUNTARY PETITION

This form, known as a “voluntary petition” must be used by a debtor to begin a bankruptcy case. Filing this petition is how an individual or other entity “declares bankruptcy.” Filing the petition also generally operates to stop action by creditors to collect their debts, a feature of the bankruptcy process described more fully below. Before filing a bankruptcy case, a debtor may want to read “Bankruptcy Basics,” which is available on the U.S. Bankruptcy Courts page of the Judiciary’s Internet website at <http://www.uscourts.gov/bankruptcycourts.html>.

The voluntary petition provides the bankruptcy court with the basic information needed to begin the case. Although some of the information asked for in Official Form B1 will be repeated in greater detail in the schedules and statements that also must be filed, the court needs certain data immediately to make a rough estimate of the resources needed to handle the case, to monitor multiple and repeat filings, to assign cases to judges, and to provide certain statistical information that the court is required by law to compile.

I. APPLICABLE LAW AND RULES

Filing a voluntary petition with a bankruptcy court under chapter 7, 9, 11, 12, or 13 starts a bankruptcy case under that chapter. 11 U.S.C. §§ 301, 302. It also constitutes an “order for relief.” 11 U.S.C. §§ 301(b), 302(a). Similarly, a joint case is started by the filing of a single petition by an individual and that individual’s spouse. 11 U.S.C. § 302(a). Filing a voluntary petition under chapter 15 is a request for relief under that chapter.

Section 109 of the Bankruptcy Code sets forth the eligibility requirements for debtors filing under chapters 7, 9, 11, 12, and 13. Specific requirements regarding a debtor’s eligibility to file under the various chapters are discussed below under “Chapter or Section of Bankruptcy Code Under Which the Petition is Filed.”

Rule 1002 of the Federal Rules of Bankruptcy Procedure (referred to as “Bankruptcy Rule” or “Fed. R. Bankr. P.”) requires a petition to be filed with the clerk of court. The case should be filed in an appropriate bankruptcy court location (venue), based on the criteria established in section 1408 of title 28 of the United States Code, discussed below under “Information Regarding Debtor – Venue.”

The filing of a bankruptcy case requires, in addition to the petition, the filing of schedules listing the debtor’s property and debts, a statement of financial affairs, a statement of “current monthly income” by all individual debtors with primarily consumer debts, and several other documents. 11 U.S.C. § 521; Bankruptcy Rule 1007. These documents include a mailing list or “matrix” containing the names and addresses of the creditors and others that should receive notices from the court in the case. Rule 1007(a)(1). In addition, every individual debtor must

submit to the court a statement of the debtor's full social-security number. Rule 1007(f). The requirements concerning the format of the mailing list are set by the local bankruptcy courts. Information about the requirements of the court in which the case will be filed can be obtained by contacting the clerk's office or from the court's website. (Links to the bankruptcy courts' local rules and additional information are posted at <http://www.uscourts.gov/rules/bk-localrules.html>.) A list of the documents required to file a bankruptcy case under chapter 7, 11, 12, or 13 can be found in Form B200, "Required Lists, Schedules, Statements and Fees." The form is posted under "Procedural Forms and Instructions" in the bankruptcy forms section of the Judiciary's website at <http://www.uscourts.gov/bkforms/>. A bankruptcy court also may require additional documents by local rule. It is important to determine what the particular court's requirements are by contacting the clerk's office or by checking the court's local rules.

If the schedules and other documents are not prepared and ready to be filed at the same time the petition is filed, Rule 1007(c) allows 14 days for completing and filing most of them. The mailing list, an individual debtor's Statement of Social-Security Number, and Exhibit D to Official Form B1, Individual Debtor's Statement of Compliance with Credit Counseling Requirement, however, must accompany the petition. Rule 1007. Moreover, in a case under chapter 9, 11, 12, or 13 of the Code, a plan for repaying creditors must be filed according to the time limits and criteria set forth in 11 U.S.C. §§ 941, 1121, 1221, 1321, and Bankruptcy Rules 3015 and 3016.

By signing, filing, or submitting a petition, schedule, statement, or other paper with the court, the debtor and the debtor's attorney (if any) are certifying – to the best of each person's knowledge, information and belief, formed after a reasonable investigation under the circumstances – that the petition, schedule, statement, or other paper meets the evidentiary and legal standards set out in Bankruptcy Rule 9011(b). Under the rule, each person also certifies that the petition, schedule, statement, or other paper is not being presented to the court for any improper purpose such as causing unnecessary delay or to harass. After giving notice and an opportunity to respond, the court may impose sanctions for violations of the rules. 11 U.S.C. §§ 707(b)(4)(A) and (B); Fed. R. Bankr. P. 9011(c).

Before a bankruptcy case is commenced by an individual whose debts are primarily consumer debts, the clerk must give the individual written notice containing a brief description of chapters 7, 11, 12, and 13; the general purpose, costs and benefits of proceeding under each chapter; and a brief description of the types of services available from credit counseling agencies. (Consumer debts are debts incurred by individuals primarily for personal, family, or household purposes. 11 U.S.C. § 101(8).)

The notice also must contain statements informing the debtor that a person who knowingly and fraudulently conceals assets or makes a false statement under penalty of perjury in connection with a bankruptcy case is subject to fine, imprisonment, or both, and that all information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General. 11 U.S.C. § 342(b). The debtor may receive the notice from the

debtor's attorney, from a non-attorney bankruptcy petition preparer, or by reading and signing a copy of Form B201. The form is posted under "Procedural Forms and Instructions" in the bankruptcy forms section of the Judiciary's website at <http://www.uscourts.gov/bkforms/>.

The signature block for individual debtors on Official Form B1 includes a declaration that, if the case is being filed under chapter 7 by an individual with primarily consumer debts, the debtor is aware of the debtor's right to proceed under chapters 7, 11, 12, or 13 and the relief available under each chapter. If no attorney or non-attorney bankruptcy petition preparer signs the petition, this block also provides for the debtor to declare that the debtor obtained and read the notice given under § 342(b) of the Code. Exhibit B to Official Form B1, which is to be completed by the attorney for an individual consumer debtor, includes the attorney's declaration that the attorney has advised the debtor that the debtor may proceed under chapter 7, 11, 12, or 13, has explained the relief available under each chapter, and has provided to the debtor the notice required by § 342(b). 11 U.S.C. § 527(a)(1).¹

In addition to the petition, lists, schedules, and statements, Rule 1006(a) requires every petition to be accompanied by the filing fee required by law. See also, 28 U.S.C. § 1930(a). Other fees have been prescribed in the Bankruptcy Court Miscellaneous Fee Schedule issued in accordance with section 1930(b) of title 28, and some of these also are payable at the time of filing the petition. An individual debtor may file an application to pay the filing fee in installments. Rule 1006(b). An individual debtor who files under chapter 7 and meets certain eligibility requirements may apply for a waiver of the filing fee. 28 U.S.C. § 1930(f). (See, "Filing Fee," below.)

With certain exceptions and limitations set forth in section 362 of the Bankruptcy Code, the filing of a petition "operates as a stay, applicable to all entities." 11 U.S.C. § 362(a). This stay takes effect automatically, immediately upon the filing of a petition. The automatic stay essentially places a freeze on the collection of debts incurred before the filing of the petition. Creditors must cease all existing collection activities against the debtor and the debtor's property and are forbidden to initiate new ones. Section 362(b) provides a list of exceptions to the stay, and other subsections section 362 provide additional exceptions and limitations, particularly with respect to expired leases of residential real property and successive cases filed by one debtor or involving a single piece of real property.

It is important to remember that the filing of a bankruptcy case is a public transaction. The information on file with the court, with the exception of an individual debtor's social-security number and tax returns, will remain open to review by any entity, including any person, estate,

¹ The declarations concerning the debtor's right to proceed under chapters 7, 11, 12, or 13 were added to Official Form B1 by § 322 of the Bankruptcy Amendments and Federal Judgeship Act of 1984, Pub. L. No. 98-353.

trust, governmental unit, and the United States trustee (an official of the United States Department of Justice). 11 U.S.C. §§ 101, 107; 28 U.S.C. § 586. In addition to being available for review in the clerk's office, papers filed in cases also may be viewed over the Internet by subscribers to the federal courts' PACER service or similar service of the local court.

A debtor has a right to amend a voluntary petition as a matter of course at any time before the case is closed. Rule 1009(a). Rule 1009(a) requires the debtor to give notice of any amendment to the trustee and to any entity affected by the amendment.

II. DIRECTIONS

United States Bankruptcy Court

A debtor must identify the judicial district in which the debtor intends to file the petition, for example, "Eastern District of California." To find the name of the judicial district, a debtor may refer to the local telephone directory, which should have a listing in the government section for "United States Government," or by using the court locator at <http://www.uscourts.gov/courtlinks/>. The locator can search for bankruptcy courts by zip code, city and state, judicial circuit, county and state, area code, or the entire country. The counties which comprise each federal judicial district are set out in sections 81 through 131 of title 28 of the United States Code. If a debtor is in doubt about the correct district or the correct name of the district, the debtor should check with the bankruptcy court clerk's office before proceeding.

Names/Identification Numbers

Bankruptcy Rule 1005 requires a debtor filing a voluntary petition to include the "name, employer identification number [if any], last four digits of the social-security number, any other individual-taxpayer identification number, and all other names used" within eight years before filing the petition. Examples of other names used by a debtor include trade names, names used in doing business, former married name(s), and maiden name (if used within eight years before filing the petition). They should be furnished in the space provided. If there is not sufficient room for all such names on the form itself, the list should be continued on an additional sheet attached to the petition. The debtor's name also should be inserted at the top of the second and third pages of Official Form B1.

Separate spaces are provided for the name, address, and other information about joint debtors filing bankruptcy together in a single (joint) case. Only a husband and wife may file a joint bankruptcy case. 11 U.S.C. § 302. If the bankruptcy case is filed by one person, a corporation, or a partnership, the "joint debtor" spaces on the petition should be left blank.

Complete information helps creditors to (1) correctly identify the debtor when they receive notices and orders from the court, (2) comply with the automatic stay, (3) file a proof of claim, and (4) exercise other rights given to them by the Bankruptcy Code. It is important to

make sure that all creditors know about the bankruptcy proceeding and are allowed to exercise their rights in the case. A debt owed to a creditor who is not given proper notice of the bankruptcy may not be “discharged” or “forgiven,” and the debtor may continue to be liable for payment of the debt despite having completed the bankruptcy case. Therefore, it is essential to provide not only the current legal name(s) but all name(s) used by the debtor and any joint debtor during the specified period (eight years).

Addresses/Location of Principal Assets

The form requires both a street address and any separate mailing address used by the debtor, as well as any separate addresses used by a joint debtor. Thus, the debtor(s) must include the complete street address and mailing address, if different, in the appropriate boxes. Married debtors living together can write “same” in the joint debtor address box. Individual debtors must state the county of residence in the box provided. If the debtor is a business, the debtor should state the county where the principal place of business is located. A business debtor should designate the location of the principal assets of the debtor, if different from the street address.

Type of Debtor

A debtor can be an individual (includes both individuals in a joint case), a corporation (includes LLCs and LLPs), or a partnership. (In a partnership case, if all the general partners do not consent to the filing of the case, section 303(b)(3) of the Bankruptcy Code provides for the filing of an involuntary petition by “fewer than all of the general partners,” using Official Form B5.) The debtor must check one box. If a debtor does not fit into any of the categories listed, a box labeled “Other” is provided, together with a space in which to state the type of entity.

Nature of Business/Tax-Exempt Entity

The Bankruptcy Code contains provisions that apply only to certain types of debtors, and cases involving them require special procedures. In addition, the courts are required to compile statistics concerning their caseloads and to respond to inquiries about the types of cases that have been filed. The debtor must check one box describing the nature of the debtor’s business. If none of the special categories listed in the Nature of Business section describe the debtor, the debtor should check “other.” If the debtor is a tax-exempt organization under title 26 of the United States Code (the Internal Revenue Code), the debtor should also check the box labeled “Tax-Exempt Entity.”

Chapter of Bankruptcy Code Under Which the Petition is Filed

Only a “person,” (defined by section 101 of the Bankruptcy Code to include an individual, partnership, and corporation), that resides or has a domicile, a place of business, or property in the United States, or is a municipality, may be a debtor in a bankruptcy case. 11 U.S.C. § 109(a). Section 109 also describes additional eligibility requirements for individual debtors and the

specific requirements for filing under various chapters. To be eligible to file under any chapter, an individual debtor must obtain a briefing from an approved nonprofit budget and credit counseling agency within 180 days before filing the petition. 11 U.S.C. § 109(h). Section 109(h) contains certain very narrow exceptions to this requirement. When a case is filed under a certain chapter, various rights and duties arise for both the debtor and creditors. Although the case can be converted to another chapter later in the proceeding, it is important to file under the chapter that best suits the debtor's needs and under which the debtor is legally eligible to file. A brief summary of the requirements of each chapter follows.

Chapter 7: A "person" (defined by section 101 of the Code to include an individual, partnership, and corporation, but not a governmental unit) may be a debtor under chapter 7 only if that person is not a (1) railroad or (2) an insurance company, bank, small business investment company, credit union, or certain similar entities as specified in § 109(b) of the Code. 11 U.S.C. § 109(b). Stockbrokers and commodity brokers can only file under this chapter, which contains special provisions governing their cases. Special provisions also apply to "health care business" debtors, as defined in section 101(27A) of the Code.

Chapter 9: Only a municipality or municipal corporation authorized by state law to file bankruptcy may be a debtor under chapter 9. 11 U.S.C. § 109(c).

Chapter 11: Only a person that may be a debtor under chapter 7 (but not a stockbroker or commodity broker) and a railroad may be a debtor under chapter 11. 11 U.S.C. § 109(d).

Chapter 12: Only a "family farmer," as defined in § 101(18), or a "family fisherman," as defined in section 101(19A) with regular annual income may be a debtor under chapter 12. 11 U.S.C. § 109(f).

Chapter 13: Relief under chapter 13 is limited to an individual, or individual and spouse, with regular income, whose debts (on the date of filing the petition) are within the monetary limits set forth in § 109(e) of the Bankruptcy Code. These dollar limits are adjusted for inflation every three years according to a formula prescribed in § 104(a) of the Code. The next adjustment is scheduled for April 1, 2013.

In November 2011, those limits were \$360,475 for unsecured debts (*i.e.*, those for which a creditor does not have a lien or, if the property on which a creditor has a lien is not worth enough to pay the creditor in full, that portion of the debt which exceeds the value of any pledged property, or "collateral") and \$1,081,400 for secured debts (*i.e.*, those for which a creditor has a lien on property of the debtor (collateral) that gives the creditor the right to be paid from that property before creditors who do not have a lien on the property). Examples of unsecured debts are credit card bills and unpaid doctor bills. Examples of secured debts are the mortgage on a debtor's house and the loan that finances the purchase of the debtor's automobile. If the debt(s) or account(s) is (are) contingent or unliquidated, chapter 13 may be available even to a debtor whose creditors assert that the debtor owes amounts higher than the limits set forth in the Code.

(A claim is contingent if the debtor's liability depends on the occurrence of a certain event, such as where the debtor is a cosigner on another person's loan, and that person fails to pay. A claim is unliquidated when the amount owed has not been determined.)

Chapter 15: A case under chapter 15 is commenced when a "foreign representative" files a petition for recognition of a "foreign proceeding." 11 U.S.C. § 1504. (Definitions of a "foreign representative" and a "foreign proceeding" are found in section 101(23) and (24) of the Bankruptcy Code.) The foreign proceeding may be a "foreign main proceeding" or a "foreign nonmain proceeding," both of which are defined in section 1502 of the Code. The type of foreign proceeding affects the authority that the foreign representative can exercise later. Accordingly, the foreign representative must specify whether the foreign proceeding is "main" or "nonmain." Once a court in the United States has granted recognition of the foreign proceeding, the foreign representative of a "foreign main proceeding" may file a voluntary case for the debtor under any other chapter for which the debtor is eligible.

The debtor or foreign representative should mark the checkbox for the chapter of the Code under which the petition is filed.

Nature of Debts

An individual debtor, depending on the circumstances of the case, should indicate whether the debts are primarily consumer debts or primarily business debts. A consumer debt is defined in section 101(8) of the Bankruptcy Code as a debt incurred by an individual primarily for a personal, family, or household purpose. A business debt is one incurred to start or continue a business or profession. Even in a case filed by an individual or married couple, if debt related to the operation of a business predominates, the debtor should check the box marked "Business." A debtor that is a corporation or partnership should check the box marked "Business."

Filing Fee

Commencing a bankruptcy case requires the payment of a filing fee. Filing fees for cases under all chapters of the Bankruptcy Code are prescribed in section 1930(a) of title 28. As of November 21, 2012, the filing fees are \$245 for a chapter 7 case; \$1,167 for a chapter 9 case or a chapter 11 case that does not concern a railroad; \$1,000 for a chapter 11 case concerning a railroad; \$200 for a chapter 12 case; \$235 for a chapter 13 case; and \$1,167 for a chapter 15 case.

A person filing a bankruptcy case also must pay a \$46 administrative fee. In addition, chapter 7 debtors must pay a \$15 trustee surcharge. These miscellaneous fees (\$46 administrative fee and \$15 trustee surcharge) are part of the Bankruptcy Court Miscellaneous Fee Schedule prescribed in accordance with section 1930(b). The fees required to file a chapter 7 case total \$306, whereas the fees to file a chapter 13 case total \$281. Section 1930(a)(7) permits an individual debtor filing a voluntary case or joint case to pay the filing fee in installments. Section 1930(f) authorizes the court to waive the filing fee for an individual filing under chapter 7 if the

court determines that the individual meets the criteria set forth in § 1930(f).

Rule 1006 requires that an individual debtor either: (1) pay the fee in full when filing the petition, (2) file a completed application to pay the fee in installments, or (3) if the debtor files under chapter 7, file an application for waiver of the fee showing that the debtor meets the qualifications for waiver set forth in section 1930(f). The miscellaneous fees mentioned above also may be paid in installments or waived by the court.

With respect paying the fee in installments, the rule limits the number of installments to four, with the final installment due not later than 120 days after the filing of the petition. The court can extend the time for paying any installment, but the debtor must file a motion explaining the reason an extension is needed. In any case, the last installment must be paid not later than 180 days after the filing of the petition.

With respect to waiving the fee, section 1930(f) establishes a ceiling on the debtor's income to be eligible for a waiver and authorizes the Judicial Conference of the United States to establish procedures for the application and determination by the court. These procedures can be reviewed under "2005 Bankruptcy Act Resources" on the Bankruptcy Courts page of the Judiciary's website at <http://www.uscourts.gov/bankruptcycourts.html>.

To pay the fees in installments, Official Form B3A must be completed and filed with the petition. If the debtor is to pay the fees in installments, the filing fee must be paid in full before the debtor or chapter 13 trustee may make any further payment to an attorney or other person who renders services to the debtor in connection with the case. To apply for a waiver of the filing fee, Official Form B3B must be completed and filed with the petition. Rule 1006. Copies of Forms B3A and B3B are posted on the Judiciary's website at <http://www.uscourts.gov/bkforms/>.

Check the appropriate box on Official Form B1 to indicate whether the fee is being paid or an application to pay in installments or for waiver of the fee is being filed.

Chapter 11 Debtors

If a chapter 11 debtor has \$2,343,300² or less in debt on the date the petition is filed, the case may be one in which the debtor is a "small business debtor" as defined in § 101(51D). In a chapter 11 case involving a small business debtor, certain accelerated deadlines apply, and special procedures may be utilized. Although not every chapter 11 debtor with debts of \$2,343,300 or less is a "small business debtor," and the debtor's status may change during the pendency of the case, the debtor, the court and the United States trustee all need to know at the outset whether there is a possibility that a chapter 11 debtor may be a "small business debtor." Accordingly, the

² The dollar amount is adjusted for inflation every three years according to a formula prescribed in § 104(a) of the Code. The next adjustment is scheduled for April 1, 2013.

form requires the chapter 11 debtor to self identify at filing whether it believes it is a small business debtor and to disclose whether its debts are less than \$2,343,300 by checking the appropriate boxes.

Statistical/Administrative Information

This section requests the debtor to predict whether funds will be available for distribution to unsecured creditors by checking on of the two boxes provided. On the basis of this estimate, the clerk may notify creditors in a chapter 7 case that it appears there are no assets from which they may be paid, and it is not necessary for them to file claims unless notified by the clerk later to do so. Rules 2002(e) and 3002(c)(5).

The debtor also is asked to indicate in the boxes provided the **estimated** number of creditors, amount of assets, and amount of liabilities. This information is used by the clerk to complete statistical reports that are required by law and to advise the court of what to expect from the case in terms of size and judicial time. (See, 28 U.S.C. §§ 159 and 604.)

Prior Bankruptcy Case Filed Within Last 8 Years

A chapter 7 discharge order eliminates a debtor's legal obligation to pay any debts (with some exceptions) that existed on the date the bankruptcy case was filed. Under section 727(a)(8) of the Bankruptcy Code, a debtor is not entitled to a chapter 7 discharge if the debtor was granted a discharge in a chapter 7 or chapter 11 case that began within eight years before the current case began. Under section 727(a)(9) a debtor is not entitled to a chapter 7 discharge if the debtor received a discharge in a chapter 12 or 13 case that began within six years before the current case began, unless (1) the plan payments in the previous case totaled 100 percent of the allowed unsecured claims, or (2) such plan payments totaled 70 percent of allowed unsecured claims, the debtor proposed the plan in good faith, and it was the debtor's best effort. Section 109(g) of the Code restricts repeat filings at intervals shorter than 180 days under certain circumstances even if no discharge was granted.

Disclosure of earlier bankruptcy filings puts the court and any trustee on notice that an investigation may be needed. It is intended to alert the trustee to cases in which an objection to discharge pursuant to section 727(a)(8) or (a)(9) or a motion to dismiss under section 109(g) may be appropriate. The debtor may be called upon to explain the circumstances of having filed multiple cases. These may not prevent a discharge in the new case, but the court will need to make a determination based on the actual facts in each case.

The debtor should report the location in which any prior bankruptcy case was filed, for example, "District of Maryland," in the space provided. The case number of the prior case and the date the petition was filed should be stated in the appropriate spaces. A debtor should be sure to list all prior bankruptcy cases and attach additional sheets, if necessary.

Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor

Information about any pending bankruptcy cases related to the debtor's case signals the clerk to assign the case to the judge to whom any related case has been assigned. The debtor should report the name of any spouse, partner, or affiliate that has a pending case (one that has not been closed) under the heading "Name of Debtor." The debtor should include the case number, date the petition was filed, relationship, district where the case is pending, and the judge assigned to the case in the spaces provided. Additional sheets may be attached if there is more than one pending case.

Exhibit A

The debtor is required to complete and file Exhibit "A" only if the debtor is a corporation requesting relief under chapter 11 and if the debtor is required to file periodic reports with the Securities and Exchange Commission ("the SEC") pursuant to section 13 or section 15 of the Securities Exchange Act of 1934. If required, the debtor should check the box on page 2 and complete and attach the "Exhibit A" form. The completed form supplies the SEC with information that it needs to determine how actively (or whether) to monitor the chapter 11 case.

Exhibit B

Exhibit B, which is included in the petition itself, is to be signed by the attorney for an individual/joint consumer debtor. The exhibit, which is required by section 322 of the Bankruptcy Amendments and Federal Judgeship Act of 1984, Pub. L. No. 98-353, is a declaration that the attorney has advised the debtor(s) that the debtor(s) may proceed under chapter 7, 11, 12, or 13 of the Code and that the attorney has explained the relief available under each chapter. Exhibit B also includes a certification by the attorney that the attorney has delivered to the debtor the notice required by section 342(b) of the Code. This notice describes the various chapters of the Code under which an individual debtor may file and the types of services available from credit counseling agencies. It also states that all information supplied by a debtor in the case is subject to examination by the Attorney General of the United States, and warns that criminal penalties may be imposed on a debtor who fraudulently conceals assets or makes a false statement. A debtor not represented by an attorney should leave Exhibit B blank. The signature section for individual debtors on page 3 includes a declaration by a chapter 7 consumer debtor concerning the debtor's awareness of all the chapters available to the debtor and, if the debtor is an individual filing under any chapter and not represented by an attorney or assisted by a bankruptcy petition preparer who signs the petition, stating that the debtor has obtained and read the section 342(b) notice. The notice is set out in Form B201, "Notice to Individual Consumer Debtor Under § 342(b) of the Bankruptcy Code." Form B201 is posted under "Procedural Forms and Instructions" in the bankruptcy forms section of the Federal Rulemaking page of the Judiciary's website at <http://www.uscourts.gov/bkforms/>.

Exhibit C

Exhibit “C” requires the debtor to disclose whether the debtor owns or has possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety. The debtor must check the box marked “Yes” or “No,” according to the facts of the case. If any such property exists, the debtor must complete and attach Exhibit “C” describing the property, its location, and any potential danger it poses. Exhibit “C” will alert the United States trustee and any person selected as trustee that immediate precautionary action may be necessary.

Exhibit D

An individual or joint debtor must receive a briefing from an approved nonprofit budget and credit counseling agency within 180 days before filing a bankruptcy case. 11 U.S.C. § 109(h). Exceptions to the requirement are limited to those provided in section 109(h)(2) and (h)(4). The briefing may be an individual or group briefing and may be conducted in person, by telephone, or over the Internet. The briefing must outline the opportunities for available credit counseling and must assist the debtor in performing a related budget analysis. The clerk of the bankruptcy court maintains a list of approved credit counselors in the district that is available to the public at the office of the clerk and on the court’s website. 11 U.S.C. § 111(a)(1).

Rule 1007(b)(3) requires that individual debtors complete and file a statement concerning compliance with the credit counseling requirement. The debtor makes the required statement by checking one of five statements on Exhibit D to Official Form B1. Each spouse in a joint case must complete a separate Exhibit D. Exhibit D itself includes a warning about the requirement to obtain counseling and the consequences of failing to fulfill this requirement. It further provides checkboxes and instructions concerning the additional documents that are required in particular circumstances, in order to minimize the number of cases which the court must dismiss for ineligibility. If the debtor has received the required counseling, the debtor should check the first box and file copies of the certificate from the credit counseling agency and any debt repayment plan developed through the agency along with Exhibit D. If the debtor has received the counseling but has not received a certificate from the agency, the debtor should check the second box and file copies of the certificate and any debt repayment plan within 14 days. If exigent circumstances or one of the other limited exceptions set out in section 109(h)(2) and (h)(4) applies to the debtor, the debtor should check the appropriate box and follow the instructions in that box.

Information Regarding the Debtor — Venue

An individual debtor generally should file a bankruptcy case in the federal judicial district in which the individual resides or maintains a domicile. In a business case, the debtor should file in the district in which the debtor maintains a domicile, a residence, a principal place of business in the United States, or in which the debtor’s principal assets are located. If the debtor has not maintained a domicile, residence, principal place of business, or principal assets in

one federal judicial district for the entire 180 days before filing the bankruptcy case, the debtor should file in the district in which its domicile, residence, principal place of business, or principal assets were located for the longest portion of the 180 days. 28 U.S.C. § 1408. This provision applies also to a corporation, partnership, or other entity. For this purpose, a corporation has a domicile in its state of incorporation. A corporation partnership, or other entity also can file in any district in which its “affiliate” (as defined in section 101(2) of the Bankruptcy Code), general partner, or partnership has a bankruptcy case pending. A debtor should check the appropriate box to indicate the basis for the choice of venue.

A foreign representative commencing a case under chapter 15 should file the petition: (1) in the district in which the foreign debtor has its principal place of business or principal assets in the United States or (2), if the debtor does not have a place of business or assets in the United States, in the district in which there is an action or proceeding against the debtor pending in a federal or state court. If neither (1) nor (2) applies, the petition should be filed in a district where the location “will be consistent with the interests of justice and the convenience of the parties, having regard for the relief sought by the foreign representative.” A checkbox has been provided for the foreign representative to indicate the basis for venue.

Statement by a Debtor Who Resides as a Tenant of Residential Property

Although section 362 of the Bankruptcy Code provides for the automatic stay of actions against the debtor or the debtor’s property when a bankruptcy case is filed, this stay may be limited in duration or not in effect with respect to a landlord’s judgment against the debtor for unpaid rent on the debtor’s residence. If the debtor resides as a tenant of residential real property, and the landlord has a judgment for possession of the debtor’s residence, the debtor must complete the above-titled section of the petition regarding status of the debtor’s lease. 11 U.S.C. § 362(l)(5). The debtor must check the box stating the existence of the landlord’s judgment and provide the name and address of the landlord. If the law of the state, city, or other locality in which the debtor resides permits a tenant to cure a monetary default after a judgment has been entered, the debtor should check the box which states that fact. If, in addition, the debtor has included with the bankruptcy petition a deposit of any rent that would become due during the 30 days after the filing of the bankruptcy petition, the debtor also should check the box stating that fact. A debtor who is not a tenant, or who is a tenant whose rent is current or whose rent is not current but against whom the landlord has not obtained a judgment on the date the petition is filed, should leave this section blank.

Signatures

The signature page of the form is where the debtor requests relief in accordance with the chapter of the Bankruptcy Code specified on the first page of the petition. Signing indicates to the court that the debtor, in fact, is requesting relief under the Bankruptcy Code. Signing and filing combine to make the petition operative, that is, to make the petition a legally effective document. In addition, by signing the petition, the debtor(s) is (are) declaring, under penalty of

perjury, that the information in the petition is true and correct. See, 28 U.S.C. § 1746, Fed. R. Bankr. P. 1008.

The debtor(s) must sign the petition in the appropriate signature block on page 3, either the “Individual/Joint,” “Corporation/Partnership,” or “Foreign Representative” section. The choice of signature block should be consistent with the debtor’s response to the “Type of Debtor” box on page 1. Unsigned papers will be stricken unless the omission of the signature is corrected promptly after being called to the attention of the attorney or party. Rule 9011(a). An individual debtor must sign and date where indicated in the “Individual/Joint” section. A married couple filing a joint case must sign and date the petition as “debtor” and “joint debtor.” If the debtor is not represented by an attorney, the debtor should include the debtor’s telephone number so court personnel, the trustee, other parties in the case, and attorneys representing other parties can contact the debtor concerning matters in the case. Even though an unrepresented debtor’s telephone number must be stated in the petition, the telephone number will not be included in the notice of the bankruptcy filing that is sent to all creditors.

The signature section for individual and joint debtors includes a declaration by chapter 7 consumer debtors that the debtor(s) is (are) aware of their right to proceed under chapters 7, 11, 12, and 13 of the Code and of the relief available under each chapter. If the debtor(s) is (are) not represented by an attorney and no non-attorney bankruptcy petition preparer signs the petition, the debtor(s) also must state that the debtor(s) have obtained and read the “Notice to Individual Consumer Debtor Under § 342(b) of the Bankruptcy Code,” which is Form B201A. (Consumer debts are debts incurred by individuals primarily for personal, family, or household purposes. 11 U.S.C. § 101(8).) Form B201A describes the chapters of the Code under which an individual debtor may file and provides other information required by section 342(b), as described above in “Applicable Law and Rules.”

There is a separate signature block for debtors that are corporations or partnerships. Individual and joint debtors should leave this section blank. The individual authorized by the debtor entity (the corporation or partnership) to file the petition should sign the petition and include the individual’s title and the date on the lines provided. By signing the petition, the authorized individual is representing that the information in the petition is true and correct, and that the individual has been authorized to file the petition on behalf of the debtor. A corporation that files a bankruptcy case must be represented by an attorney. Certain corporate debtors filing chapter 11 petitions must also complete Exhibit “A” discussed above.

Signature of Attorney

If an attorney is representing the debtor in the bankruptcy case, the attorney must sign and date the petition and set out the attorney’s name, address, and telephone number in the spaces provided. If a law firm is representing the debtor, the attorney in the firm who is handling the case should sign and date the petition and set out the attorney’s name as well as the law firm’s name, address, and telephone number. Fed. R. Bankr. P. 9011(a). Debtors who are not

represented by an attorney should leave this section blank

Signature of a Foreign Representative

Under chapter 15 of the Bankruptcy Code, a foreign representative of a debtor in a foreign proceeding can apply for recognition of the foreign proceeding by a United States court. If the foreign proceeding is a foreign “main” proceeding, once recognition has been granted, the foreign representative can file a voluntary case in the United States on behalf of the debtor under an appropriate chapter of the Bankruptcy Code. (The chapter 15 case and any case filed by the foreign representative under another chapter of the Code will be ancillary to the foreign proceeding.) 11 U.S.C. § 1501 *et seq.* The foreign representative must use Official Form B1 to apply for recognition of the foreign proceeding, which commences a case under chapter 15 of the Code. If the foreign representative later determines to file a case on behalf of the debtor under one of the relief chapters of the Code, the foreign representative must use Official Form B1 again. The signature box for a foreign representative contains appropriate language and checkboxes for both types of filings. The foreign representative should check the box that describes the action being taken, either (1) a petition for recognition of the foreign proceeding (either “main” or “nonmain”) under chapter 15 or (2) a petition for relief under a different chapter of the Code specified on page 1 of the petition form. The foreign representative should provide the representative’s name and sign and date the petition in the spaces provided and attach all required documents.

Signature of Non-Attorney Bankruptcy Petition Preparer

Section 110 of the Bankruptcy Code requires a non-attorney bankruptcy petition preparer to sign every document that the bankruptcy petition preparer prepares for filing by the debtor. Section 110 also requires the bankruptcy petition preparer to make certain disclosures to the debtor and to the court, to provide the debtor with certain notices including the “Notice to Individual Consumer Debtor Under § 342(b) of the Bankruptcy Code,” and to inform the debtor of any maximum fee set by the Judicial Conference of the United States for the services of a bankruptcy petition preparer. 11 U.S.C. § 110. This signature section provides for the bankruptcy petition preparer to certify all necessary matters. The bankruptcy petition preparer should provide all the information specified in the blanks in this box and sign and date the petition in the spaces marked “X” and “Date,” respectively. Unless a debtor uses the services of a bankruptcy petition preparer, this section should be left blank.

UNITED STATES BANKRUPTCY COURT					VOLUNTARY PETITION													
District of																		
Name of Debtor (if individual, enter Last, First, Middle):					Name of Joint Debtor (Spouse) (Last, First, Middle):													
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):					All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):													
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all):					Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all):													
Street Address of Debtor (No. and Street, City, and State): ZIP CODE					Street Address of Joint Debtor (No. and Street, City, and State): ZIP CODE													
County of Residence or of the Principal Place of Business:					County of Residence or of the Principal Place of Business:													
Mailing Address of Debtor (if different from street address): ZIP CODE					Mailing Address of Joint Debtor (if different from street address): ZIP CODE													
Location of Principal Assets of Business Debtor (if different from street address above): ZIP CODE																		
Type of Debtor (Form of Organization) (Check one box.) <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)		Nature of Business (Check one box.) <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input type="checkbox"/> Other		Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box.) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13			<input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding											
Chapter 15 Debtors Country of debtor's center of main interests: Each country in which a foreign proceeding by, regarding, or against debtor is pending:		Tax-Exempt Entity (Check box, if applicable.) <input type="checkbox"/> Debtor is a tax-exempt organization under title 26 of the United States Code (the Internal Revenue Code).		Nature of Debts (Check one box.) <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose."			<input type="checkbox"/> Debts are primarily business debts.											
Filing Fee (Check one box.) <input type="checkbox"/> Full Filing Fee attached. <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.				Chapter 11 Debtors Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,490,925 (<i>amount subject to adjustment on 4/01/16 and every three years thereafter</i>). ----- Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).														
Statistical/Administrative Information <input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.							THIS SPACE IS FOR COURT USE ONLY											
Estimated Number of Creditors <table><tr><td><input type="checkbox"/> 1-49</td><td><input type="checkbox"/> 50-99</td><td><input type="checkbox"/> 100-199</td><td><input type="checkbox"/> 200-999</td><td><input type="checkbox"/> 1,000-5,000</td><td><input type="checkbox"/> 5,001-10,000</td><td><input type="checkbox"/> 10,001-25,000</td><td><input type="checkbox"/> 25,001-50,000</td><td><input type="checkbox"/> 50,001-100,000</td><td><input type="checkbox"/> Over 100,000</td></tr></table>									<input type="checkbox"/> 1-49	<input type="checkbox"/> 50-99	<input type="checkbox"/> 100-199	<input type="checkbox"/> 200-999	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 5,001-10,000	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> 25,001-50,000	<input type="checkbox"/> 50,001-100,000	<input type="checkbox"/> Over 100,000
<input type="checkbox"/> 1-49	<input type="checkbox"/> 50-99	<input type="checkbox"/> 100-199	<input type="checkbox"/> 200-999	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 5,001-10,000	<input type="checkbox"/> 10,001-25,000			<input type="checkbox"/> 25,001-50,000	<input type="checkbox"/> 50,001-100,000	<input type="checkbox"/> Over 100,000							
Estimated Assets <table><tr><td><input type="checkbox"/> \$0 to \$50,000</td><td><input type="checkbox"/> \$50,001 to \$100,000</td><td><input type="checkbox"/> \$100,001 to \$500,000</td><td><input type="checkbox"/> \$500,001 to \$1 million</td><td><input type="checkbox"/> \$1,000,001 to \$10 million</td><td><input type="checkbox"/> \$10,000,001 to \$50 million</td><td><input type="checkbox"/> \$50,000,001 to \$100 million</td><td><input type="checkbox"/> \$100,000,001 to \$500 million</td><td><input type="checkbox"/> \$500,000,001 to \$1 billion</td><td><input type="checkbox"/> More than \$1 billion</td></tr></table>									<input type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion
<input type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion									
Estimated Liabilities <table><tr><td><input type="checkbox"/> \$0 to \$50,000</td><td><input type="checkbox"/> \$50,001 to \$100,000</td><td><input type="checkbox"/> \$100,001 to \$500,000</td><td><input type="checkbox"/> \$500,001 to \$1 million</td><td><input type="checkbox"/> \$1,000,001 to \$10 million</td><td><input type="checkbox"/> \$10,000,001 to \$50 million</td><td><input type="checkbox"/> \$50,000,001 to \$100 million</td><td><input type="checkbox"/> \$100,000,001 to \$500 million</td><td><input type="checkbox"/> \$500,000,001 to \$1 billion</td><td><input type="checkbox"/> More than \$1 billion</td></tr></table>							<input type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion		
<input type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion									

Voluntary Petition <i>(This page must be completed and filed in every case.)</i>		Name of Debtor(s):	
All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.)			
Location Where Filed:		Case Number:	Date Filed:
Location Where Filed:		Case Number:	Date Filed:
Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet.)			
Name of Debtor:		Case Number:	Date Filed:
District:		Relationship:	Judge:
<p style="text-align: center;">Exhibit A</p> <p>(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)</p> <p><input type="checkbox"/> Exhibit A is attached and made a part of this petition.</p>		<p style="text-align: center;">Exhibit B</p> <p>(To be completed if debtor is an individual whose debts are primarily consumer debts.)</p> <p>I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to the debtor the notice required by 11 U.S.C. § 342(b).</p> <p>X _____ Signature of Attorney for Debtor(s) (Date)</p>	
<p style="text-align: center;">Exhibit C</p> <p>Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?</p> <p><input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition.</p> <p><input type="checkbox"/> No.</p>			
<p style="text-align: center;">Exhibit D</p> <p>(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)</p> <p><input type="checkbox"/> Exhibit D, completed and signed by the debtor, is attached and made a part of this petition.</p> <p>If this is a joint petition:</p> <p><input type="checkbox"/> Exhibit D, also completed and signed by the joint debtor, is attached and made a part of this petition.</p>			
<p style="text-align: center;">Information Regarding the Debtor - Venue (Check any applicable box.)</p> <p><input type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.</p> <p><input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.</p> <p><input type="checkbox"/> Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.</p>			
<p style="text-align: center;">Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.)</p> <p><input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)</p> <p style="text-align: right;">_____ (Name of landlord that obtained judgment)</p> <p style="text-align: right;">_____ (Address of landlord)</p> <p><input type="checkbox"/> Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and</p> <p><input type="checkbox"/> Debtor has included with this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.</p> <p><input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).</p>			

Voluntary Petition <i>(This page must be completed and filed in every case.)</i>	Name of Debtor(s): _____
Signatures	
<p style="text-align: center;">Signature(s) of Debtor(s) (Individual/Joint)</p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).</p> <p>I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X _____ Signature of Debtor</p> <p>X _____ Signature of Joint Debtor</p> <p>_____ Telephone Number (if not represented by attorney)</p> <p>_____ Date</p>	<p style="text-align: center;">Signature of a Foreign Representative</p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.</p> <p>(Check only one box.)</p> <p><input type="checkbox"/> I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.</p> <p><input type="checkbox"/> Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.</p> <p>X _____ (Signature of Foreign Representative)</p> <p>_____ (Printed Name of Foreign Representative)</p> <p>_____ Date</p>
<p style="text-align: center;">Signature of Attorney*</p> <p>X _____ Signature of Attorney for Debtor(s)</p> <p>_____ Printed Name of Attorney for Debtor(s)</p> <p>_____ Firm Name</p> <p>_____ Address</p> <p>_____ Telephone Number</p> <p>_____ Date</p> <p><small>*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.</small></p>	<p style="text-align: center;">Signature of Non-Attorney Bankruptcy Petition Preparer</p> <p>I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.</p> <p>_____ Printed Name and title, if any, of Bankruptcy Petition Preparer</p> <p>_____ Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social-Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)</p> <p>_____ Address</p> <p>X _____ Signature</p> <p>_____ Date</p> <p>Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.</p> <p>Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual.</p> <p>If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.</p> <p><i>A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.</i></p>
<p style="text-align: center;">Signature of Debtor (Corporation/Partnership)</p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.</p> <p>The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X _____ Signature of Authorized Individual</p> <p>_____ Printed Name of Authorized Individual</p> <p>_____ Title of Authorized Individual</p> <p>_____ Date</p>	

Do not file this form as part of the public case file. This form must be submitted separately and must not be included in the court's public electronic records. Please consult local court procedures for submission requirements.

B21 (Official Form 21) (12/12)

UNITED STATES BANKRUPTCY COURT

_____ District of _____

In re _____,)
[Set forth here all names including married, maiden,)
and trade names used by debtor within last 8 years])
Debtor) Case No. _____
Address _____) Chapter _____
_____)
Last four digits of Social-Security or Individual Taxpayer-)
Identification (ITIN) No(s), (if any):)
_____)
Employer Tax-Identification (EIN) No(s), (if any):)
_____)

STATEMENT OF SOCIAL-SECURITY NUMBER(S)

(or other Individual Taxpayer-Identification Number(s) (ITIN(s)))^{*}

1. Name of Debtor (Last, First, Middle): _____

(Check the appropriate box and, if applicable, provide the required information.)

- ☐ Debtor has a Social-Security Number and it is: _____
(If more than one, state all.)
- ☐ Debtor does not have a Social-Security Number but has an Individual Taxpayer-Identification Number (ITIN), and it is: _____
(If more than one, state all.)
- ☐ Debtor does not have either a Social-Security Number or an Individual Taxpayer-Identification Number (ITIN).

2. Name of Joint Debtor (Last, First, Middle): _____

(Check the appropriate box and, if applicable, provide the required information.)

- ☐ Joint Debtor has a Social-Security Number and it is: _____
(If more than one, state all.)
- ☐ Joint Debtor does not have a Social-Security Number but has an Individual Taxpayer-Identification Number (ITIN) and it is: _____
(If more than one, state all.)
- ☐ Joint Debtor does not have either a Social-Security Number or an Individual Taxpayer-Identification Number (ITIN).

I declare under penalty of perjury that the foregoing is true and correct.

X _____
Signature of Debtor Date

X _____
Signature of Joint Debtor Date

^{*}Joint debtors must provide information for both spouses.

Penalty for making a false statement: Fine of up to \$250,000 or up to 5 years imprisonment or both. 18 U.S.C. §§ 152 and 3571.

UNITED STATES BANKRUPTCY COURT

_____ District of _____

In re _____
Debtor

Case No. _____
(if known)

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

☐ 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.*

☐ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.*

☐ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. *[Summarize exigent circumstances here.]*

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

☐ 4. I am not required to receive a credit counseling briefing because of: *[Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]*

☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);

☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);

☐ Active military duty in a military combat zone.

☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor: _____

Date: _____

Creditor List (f.k.a. creditor matrix)

A Creditor List is a listing of the name and address (creditor record) of each creditor in a bankruptcy case. It must be filed or presented electronically pursuant to Indiana Southern Bankruptcy Court Local Rule B-1007-1(b). A diskette or CD with the Creditor List file in TXT format must be submitted for bankruptcy cases filed non-electronically (on paper). Electronic filers must upload a Creditor List file through the Creditor Maintenance menu option in ECF.

LIST REQUIREMENTS

- A [Verification of Creditor List](#) must be prepared, printed and signed by the debtor and joint debtor, if there is one. It must be filed with the court within 14 days from the date of filing of the case.
- The creditor list on the diskette or CD must include all of the names and addresses listed on Schedules D, E, F, G and H. If any creditors listed are Federal Agencies, you must also include the U.S. Attorney – [see Governmental Agencies section](#)
- Do not include the debtors, any trustee, or the U.S. Trustee on the list.

NOTE: The attorney for the debtor(s) may be included on the list in a Chapter 13 case ONLY to facilitate filing a claim. To eliminate duplicate noticing, the attorney name and address on the list must exactly match the Attorney ECF User Record.

- Do not include account numbers or duplicate creditor names.
- The list must be in one column with no more than six lines per creditor name/address. There must be a blank line between creditor records.
- Each line may contain no more than 40 characters, including punctuation and spaces.
- Each record may be up to 6 lines – the Creditor's name must be on the first line and the City, State and Zip Code on the bottom line.
- Do not include page numbers, headers, footers, debtor names, etc. on the Creditor List -- only the creditor information.
- The names and addresses (Creditor Records) should be aligned to the left margin in one single column, also known as "justified left".
- **Format to use for each creditor name and address:**
 - First Line : **Creditor's Name**
 - Second Line: **Attention of:** or address
 - Third Line: **Address (if needed)**
 - Bottom Line: **City, State (2-letter abbreviation in CAPS) and Zip Code**
- The creditor list must be [uploaded to the court](#) (filename.txt)

Samples of correct format:

ACB Stores
Attention: Mr. Smith
123 Bee ST
Plain City, IN 11111

ABC Stores
Attention: Mary Doe
Smith Office Building Ste 123
456 Bee ST
Plain City, IN 11111

John Smith
789 Bee ST
Plain City, IN 11111

GOVERNMENTAL AGENCIES

If any federal agency other than the IRS is listed on the schedules (e.g., FHA, Dept. of Agriculture (USDA), HUD, etc.), add the U.S. Attorney to the list using the following address.

U.S. Attorney's Office
10 W. Market St. Ste. 2100
Indianapolis, IN 46204-3048

Pursuant to Fed.R.Bankr.P. 5003(e), federal and state governmental agencies may file statements with the court designating their mailing addresses. These addresses are conclusively presumed to be the proper mailing addresses for the governmental agencies. The agencies listed have filed such statements with the Clerk's Office for the Southern District of Indiana.

If any of the following governmental agencies are listed on the schedules, they must be added to the list (one time only) using these designated addresses.

Internal Revenue Service

PO Box 7346
Philadelphia, PA 19101-7346

Indiana Department of Revenue

100 N. Senate Ave. Rm. N203-Bankruptcy
Indianapolis, IN 46204

Indiana Department of Workforce Development

10 N. Senate Ave. SE105-Legal Support
Indianapolis, IN 46204-2277

Marion County Treasurer

200 E. Washington St. Ste. 1041

Indianapolis, IN 46204

Texas Workforce Commission

101 E. 15th St. Rm. 556 - Bankruptcy
Austin, TX 78778-0001

To Save The Creditor's @ghFile with a .txt Extension

1. After creating and saving the file in Word Perfect or (older) Microsoft Word versions, click **File** in the Toolbar to display the drop down list and click **Save As**. In Word 2007, from the Office Button select **Save As**.

- **In WordPerfect:** Click the drop down menu arrow in the **File type** box and select the file type **ASCII DOS Text**
- **In Microsoft Word:** Click on the drop down box arrow to the right of the **Save As Type** box and select **Text Files (*.txt)**, **Text Only (*.txt)**, or **Plain Text**

2. If you have saved the file in Word Perfect or Word, the file name appears in the **File Name** box. Saving it as a text file will change the .wpd, .doc or .docx extension to a .txt extension.

3. Click the **Save** button

4. To verify that the information is stored correctly, the Notepad program found under Accessories in the Windows program list can be used to open and view a text file to see that it is in the correct format. If it is not in the correct format, re-open the file in Word Perfect or Word and repeat steps 1-4.

UNITED STATES BANKRUPTCY COURT
Southern District of Indiana

In re:

[Name of Debtor(s)]

Debtor(s).

Case No.

(XX-XXXX)

VERIFICATION OF CREDITOR LIST

(I/We) declare under penalty of perjury that the submitted list of creditors is true and correct.

Dated: _____

Signature of Debtor

Signature of Joint Debtor

(Note: Certificate of Service not required.)

Fill in this information to identify your case:

Debtor 1 _____
First Name Middle Name Last Name

Debtor 2 _____
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: _____ District of _____

Case number _____
(If known)

☐ Check if this is an amended filing

Official Form B 3A**Application for Individuals to Pay the Filing Fee in Installments****12/13**

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information.

Part 1: Specify Your Proposed Payment Timetable**1. Which chapter of the Bankruptcy Code are you choosing to file under?**

- ☐ Chapter 7..... Fee: **\$306**
- ☐ Chapter 11..... Fee: **\$1,213**
- ☐ Chapter 12..... Fee: **\$246**
- ☐ Chapter 13..... Fee: **\$281**

2. You may apply to pay the filing fee in up to four installments. Fill in the amounts you propose to pay and the dates you plan to pay them. Be sure all dates are business days. Then add the payments you propose to pay.

You must propose to pay the entire fee no later than 120 days after you file this bankruptcy case. If the court approves your application, the court will set your final payment timetable.

You propose to pay...

\$ _____	<input type="checkbox"/> With the filing of the petition	_____
	<input type="checkbox"/> On or before this date.....	MM / DD / YYYY
\$ _____	On or before this date.....	MM / DD / YYYY
\$ _____	On or before this date.....	MM / DD / YYYY
+ \$ _____	On or before this date.....	MM / DD / YYYY

Total

\$ _____

◀ Your total must equal the entire fee for the chapter you checked in line 1.

Part 2: Sign Below

By signing here, you state that you are unable to pay the full filing fee at once, that you want to pay the fee in installments, and that you understand that:

- You must pay your entire filing fee before you make any more payments or transfer any more property to an attorney, bankruptcy petition preparer, or anyone else for services in connection with your bankruptcy case.
- You must pay the entire fee no later than 120 days after you first file for bankruptcy, unless the court later extends your deadline. Your debts will not be discharged until your entire fee is paid.
- If you do not make any payment when it is due, your bankruptcy case may be dismissed, and your rights in other bankruptcy proceedings may be affected.

✕ _____
Signature of Debtor 1

✕ _____
Signature of Debtor 2

✕ _____
Your attorney's name and signature, if you used one

Date _____
MM / DD / YYYY

Date _____
MM / DD / YYYY

Date _____
MM / DD / YYYY

Fill in this information to identify the case:

Debtor 1 _____
First Name Middle Name Last Name

Debtor 2 _____
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: _____ District of _____

Case number (If known): _____
☐ Chapter 7
☐ Chapter 11
☐ Chapter 12
☐ Chapter 13

Order Approving Payment of Filing Fee in Installments

After considering the *Application for Individuals to Pay the Filing Fee in Installments* (Official Form B 3A), the court orders that:

☐ The debtor(s) may pay the filing fee in installments on the terms proposed in the application.

☐ The debtor(s) must pay the filing fee according to the following terms:

<u>You must pay...</u>	<u>On or before this date...</u>
\$ _____	_____ Month / day / year
\$ _____	_____ Month / day / year
\$ _____	_____ Month / day / year
+ \$ _____	_____ Month / day / year
Total	
\$ _____	

Until the filing fee is paid in full, the debtor(s) must not make any additional payment or transfer any additional property to an attorney or to anyone else for services in connection with this case.

Month / day / year

By the court:

United States Bankruptcy Judge

Official Form 3B

Instructions for the Application to Have the Chapter 7 Filing Fee Waived

United States Bankruptcy Court

12/01/2013

How to Fill Out the Application

The fee for filing a bankruptcy case under Chapter 7 is \$306. If you cannot afford to pay the entire fee now in full or in installments within 120 days, use this form. If you can afford to pay your filing fee in installments, see *Application for Individuals to Pay the Filing Fee in Installments* (Official Form 3A).

If you file this form, you are asking the court to waive your fee. After reviewing your application, the court may waive your fee, set a hearing for further investigation, or require you to pay the fee in installments or in full.

For your fee to be waived, all of these statements must be true:

- You are filing for bankruptcy under Chapter 7.
- You are an individual.
- The total combined monthly income for your family is less than 150% of the official poverty guideline last published by the U.S. Department of Health and Human Services (DHHS). (For more information about the guidelines, go to <http://www.uscourts.gov/FederalCourts/Bankruptcy/BankruptcyResources/PovertyGuidelines.aspx>.)
- You cannot afford to pay the fee in installments.

Your family includes you, your spouse, and any dependents listed on *Schedule J*. Your family may be different from your *household*, referenced on *Schedules I* and *J*. Your household may include your unmarried partner and others who live with you and with whom you share income and expenses.

If a bankruptcy petition preparer helped you complete this form, make sure that person fills out *Declaration and Signature of Non-Attorney Bankruptcy Petition Preparer* (Official Form 19); include a copy of it in this package.

Do not file these instructions with your bankruptcy filing package. Keep them for your records.

If you have already completed the following forms, the information on them may help you when you fill out this application:

- *Schedule A: Real Property* (Official Form 6A)
- *Schedule I: Your Income* (Official Form 6I)
- *Schedule J: Your Expenses* (Official Form J)

Understand the terms used in this form

The *Application to Have the Chapter 7 Filing Fee Waived* (Official Form 3B) uses *you* and *Debtor 1* to refer to a debtor filing alone. A married couple may file a bankruptcy case together—called a *joint case*—and in joint cases, this form uses *you* to ask for information from both debtors. For example, if the form asks, “Do you own a car?” the answer would be *yes* if either debtor owns a car. When information is needed about the spouses separately, the form uses *Debtor 1* and *Debtor 2* to distinguish between them. In joint cases, one of the spouses must report information as *Debtor 1* and the other as *Debtor 2*. The same person must be *Debtor 1* in all of the forms.

Things to remember when filling out this form

- Be as complete and accurate as possible.
- If you have some additional circumstances that cause you to not be able to pay your filing fee in installments, explain them on line 5 of the form.
- If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known).
- If two married people are filing together, both are equally responsible for supplying correct information.

Fill in this information to identify your case:

Debtor 1
First Name Middle Name Last Name

Debtor 2
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: District of

Case number
(If known)

☐ Check if this is an amended filing

Official Form B 3B

Application to Have the Chapter 7 Filing Fee Waived

12/13

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known).

Part 1: Tell the Court About Your Family and Your Family's Income

1. What is the size of your family?

Your family includes you, your spouse, and any dependents listed on *Schedule J: Current Expenditures of Individual Debtor(s)* (Official Form B 6J).

Check all that apply:

- ☐ You
☐ Your spouse
☐ Your dependents

How many dependents?

Total number of people

2. Fill in your family's average monthly income.

Include your spouse's income if your spouse is living with you, even if your spouse is not filing.

Do not include your spouse's income if you are separated and your spouse is not filing with you.

Add your income and your spouse's income. Include the value (if known) of any non-cash governmental assistance that you receive, such as food stamps (benefits under the Supplemental Nutrition Assistance Program) or housing subsidies.

If you have already filled out *Schedule I: Your Income*, see line 10 of that schedule.

Subtract any non-cash governmental assistance that you included above.

Your family's average monthly net income

That person's average monthly net income (take-home pay)

You \$

Your spouse ... + \$

Subtotal..... \$

— \$

Total..... \$

3. Do you receive non-cash governmental assistance?

- ☐ No
☐ Yes. Describe.....

Type of assistance

4. Do you expect your family's average monthly net income to increase or decrease by more than 10% during the next 6 months?

- ☐ No
☐ Yes. Explain.

5. Tell the court why you are unable to pay the filing fee in installments within 120 days. If you have some additional circumstances that cause you to not be able to pay your filing fee in installments, explain them.

Part 2: Tell the Court About Your Monthly Expenses**6. Estimate your average monthly expenses.**

Include amounts paid by any government assistance that you reported on line 2. \$ _____

If you have already filled out *Schedule J, Your Expenses*, copy line 22 from that form.

7. Do these expenses cover anyone who is not included in your family as reported in line 1?☐ No☐ Yes. Identify who **8. Does anyone other than you regularly pay any of these expenses?**☐ No☐ Yes. How much do you regularly receive as contributions? \$ _____ monthly

If you have already filled out *Schedule I: Your Income*, copy the total from line 11.

9. Do you expect your average monthly expenses to increase or decrease by more than 10% during the next 6 months?☐ No☐ Yes. Explain **Part 3:** Tell the Court About Your Property

If you have already filled out *Schedule A: Real Property (Official Form B 6A)* and *Schedule B: Personal Property (Official Form B 6B)*, attach copies to this application and go to Part 4.

10. How much cash do you have?

Examples: Money you have in your wallet, in your home, and on hand when you file this application

Cash: \$ _____

11. Bank accounts and other deposits of money?

Examples: Checking, savings, money market, or other financial accounts; certificates of deposit; shares in banks, credit unions, brokerage houses, and other similar institutions. If you have more than one account with the same institution, list each. Do not include 401(k) and IRA accounts.

Checking account: _____

Savings account: _____

Other financial accounts: _____

Other financial accounts: _____

Institution name: _____

Amount: _____

\$ _____

\$ _____

\$ _____

\$ _____

12. Your home? (if you own it outright or are purchasing it)

Examples: House, condominium, manufactured home, or mobile home

Number Street _____

City State ZIP Code _____

Current value: \$ _____

Amount you owe on mortgage and liens: \$ _____

13. Other real estate?

Number Street _____

City State ZIP Code _____

Current value: \$ _____

Amount you owe on mortgage and liens: \$ _____

14. The vehicles you own?

Examples: Cars, vans, trucks, sports utility vehicles, motorcycles, tractors, boats

Make: _____

Model: _____

Year: _____

Mileage _____

Make: _____

Model: _____

Year: _____

Mileage _____

Current value: \$ _____

Amount you owe on liens: \$ _____

Current value: \$ _____

Amount you owe on liens: \$ _____

15. Other assets?**Describe the other assets:**

Do not include household items and clothing.

Current value: \$ _____

Amount you owe on liens: \$ _____

16. Money or property due you?**Who owes you the money or property?****How much is owed?**

Do you believe you will likely receive payment in the next 180 days?

Examples: Tax refunds, past due or lump sum alimony, spousal support, child support, maintenance, divorce or property settlements, Social Security benefits, Workers' compensation, personal injury recovery

\$ _____

\$ _____

☐ No☐ Yes. Explain:**Part 4:** Answer These Additional Questions**17. Have you paid anyone for services for this case, including filling out this application, the bankruptcy filing package, or the schedules?**☐ No☐ Yes. **Whom did you pay?** Check all that apply:☐ An attorney☐ A bankruptcy petition preparer, paralegal, or typing service☐ Someone else _____**How much did you pay?**

\$ _____

18. Have you promised to pay or do you expect to pay someone for services for your bankruptcy case?☐ No☐ Yes. **Whom do you expect to pay?** Check all that apply:☐ An attorney☐ A bankruptcy petition preparer, paralegal, or typing service☐ Someone else _____**How much do you expect to pay?**

\$ _____

19. Has anyone paid someone on your behalf for services for this case?☐ No☐ Yes. **Who was paid on your behalf?** Check all that apply:☐ An attorney☐ A bankruptcy petition preparer, paralegal, or typing service☐ Someone else _____**Who paid?**

Check all that apply:

☐ Parent☐ Brother or sister☐ Friend☐ Pastor or clergy☐ Someone else _____**How much did someone else pay?**

\$ _____

20. Have you filed for bankruptcy within the last 8 years?☐ No☐ Yes. District _____ When _____ Case number _____
MM/ DD/ YYYYDistrict _____ When _____ Case number _____
MM/ DD/ YYYYDistrict _____ When _____ Case number _____
MM/ DD/ YYYY**Part 5:** Sign Below**By signing here under penalty of perjury, I declare that I cannot afford to pay the filing fee either in full or in installments. I also declare that the information I provided in this application is true and correct.**

X

Signature of Debtor 1

X

Signature of Debtor 2

Date _____
MM / DD / YYYYDate _____
MM / DD / YYYY

Fill in this information to identify the case:

Debtor 1 _____
 First Name Middle Name Last Name

Debtor 2
(Spouse, if filing) _____
 First Name Middle Name Last Name

United States Bankruptcy Court for the: _____ District of _____

Case number _____
(If known)

Order on the Application to Have the Chapter 7 Filing Fee Waived

After considering the debtor's *Application to Have the Chapter 7 Filing Fee Waived* (Official Form B 3B), the court orders that the application is:

☐ **Granted.** However, the court may order the debtor to pay the fee in the future if developments in administering the bankruptcy case show that the waiver was unwarranted.

☐ **Denied.** The debtor must pay the \$306 filing fee according to the following terms:

	<u>You must pay...</u>	<u>On or before this date...</u>
	\$ _____	_____ Month / day / year
	\$ _____	_____ Month / day / year
	\$ _____	_____ Month / day / year
	+ \$ _____	_____ Month / day / year
Total	\$ 	

If the debtor would like to propose a different payment timetable, the debtor must file a motion promptly with a payment proposal. The debtor may use *Application for Individuals to Pay the Filing Fee in Installments* (Official Form B 3A) for this purpose. The court will consider it.

The debtor must pay the entire filing fee before making any more payments or transferring any more property to an attorney, bankruptcy petition preparer, or anyone else in connection with the bankruptcy case. The debtor must also pay the entire filing fee to receive a discharge. If the debtor does not make any payment when it is due, the bankruptcy case may be dismissed and the debtor's rights in future bankruptcy cases may be affected.

☐ **Scheduled for hearing.**

A hearing to consider the debtor's application will be held

on _____ at _____ AM / PM at _____.
Month / day / year Address of courthouse

If the debtor does not appear at this hearing, the court may deny the application.

Month / day / year **By the court:** _____
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA

IN RE:)
)
INSTALLMENT FEES:) 12-0005
PAYMENT SCHEDULE)
)

ORDER

This Order is entered to establish minimum requirements for payment of filing fees in installments **on and after November 21, 2012**. This order replaces General Order 11-0004.

Pursuant to Fed.R.Bankr.P. 1006(b)(2), the Court fixes the number and amount of the installments as follows:

Chapter	Payment at Filing	One Month After Filing	Two Months After Filing	Three Months After Filing
7	\$77	\$77	\$76	\$76
11	\$304	\$303	\$303	\$303
12	\$62	\$62	\$62	\$60
13	\$70	\$70	\$70	\$71

Parties filing Applications to Pay Filing Fee in Installments shall propose a payment plan in accordance with this schedule.

Payments shall be due, as shown, on the same day of the month as the date on which the petition was filed. If that date falls on a day that the Court is closed, payment is due no later than the next business day.

The Application must substantially conform to Official Form #3A. This form is available in the Office of the Bankruptcy Clerk or on the Court's website at www.insb.uscourts.gov.

Date: November 9, 2012

/s/ James K. Coachys
James K. Coachys
Chief Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
Southern District of Indiana

In re:

[Name of Debtor(s)]

Debtor(s),

)
)
)
)
)

Case No. _____

(xx-xxxxx)

(Name of Document)

Date: _____

(Signature of Filer)

(Printed Name of Filer)

(Signature of Joint Filer, if any)

(Printed Name of Joint Filer, if any)

(Address)

(City, State, ZIP Code)

(Phone with Area Code)

(Note: You are required to serve a copy of this document on the relevant parties pursuant to the Federal Rules of Bankruptcy Procedure including, but not limited to, Rules 2002, 2013, and 9014. AFTER you provide a copy of this document to the relevant parties, you must file a Certificate of Service with the Court.)

UNITED STATES BANKRUPTCY COURT
Southern District of Indiana

In re: _____)
_____) Case No. _____
[Name of Debtor(s)]) (xx-xxxxx)
_____,)
Debtor(s).)

OBJECTION

(I/We) _____ (name of filer) object to the
_____ (document name) on the following grounds:

Date: _____

_____	(Signature of Filer)
_____	(Printed Name of Filer)
_____	(Signature of Joint Filer, if any)
_____	(Printed Name of Joint Filer, if any)
_____	(Address)
_____	(City, State, ZIP Code)
_____	(Phone with Area Code)

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